

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WILLIE DAVIS, JR., NATHANIEL
BRIDDELL, GEORGE W. FEDDIMAN,
JOSEPH GARISON, LARRY E. GIBBS,
ROY H. WALTERS, and ALL
SIMILARLY-SITUATED CURRENT
AND FORMER EMPLOYEES OF
MOUNTAIRE FARMS, INC.,
MOUNTAIRE FARMS OF DELMARVA
INC., and MOUNTAIRE FARMS OF
DELAWARE, INC.,

Plaintiffs,

v.

MOUNTAIRE FARMS, INC., a Delaware
Corporation, MOUNTAIRE FARMS OF
DELMARVA, a Delaware Corporation,
and MOUNTAIRE FARMS OF
DELAWARE, INC., a Delaware
Corporation,

Defendants.

Civil Action No. 04-414 – KAJ

**STIPULATION AND ORDER TO EXTEND TIME
IN WHICH TO RESPOND TO DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT**

The parties, by and through their undersigned counsel, hereby agree and stipulate, subject to leave of the Court, that an Order be signed granting Plaintiffs' counsel an extension of time in which to respond to Defendants' Motion For Partial Summary Judgment to October 13, 2006:

1. Defendants electronically filed their Motion For Partial Summary Judgment on September 15, 2006 as evidenced by the Notice of Electronic Filing.

2. Plaintiffs' counsel regrets to advise this Court that he was only made aware of the filing of the Motion late in the day September 26, 2006.

3. The Plaintiffs' response to Defendants' Motion For Partial Summary Judgment is due September 29, 2006.

4. Plaintiffs' counsel contacted Defense counsel who agreed to stipulate to an extension of time in which to respond to October 13, 2006.

5. Counsel respectfully requests that this Order for an extension of time be granted.

MARGOLIS EDELSTEIN

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DATED: September 27, 2006

SO ORDERED this _____ day of _____, 2006.

U.S. District Judge Kent A. Jordan